

Talking Points for the Merrimack Station Revised Draft NPDES Permit

Q: What is the action being taken today Friday, April 18, 2014?

- Today Region 1 is reopening the public comment period for certain provisions of the Merrimack Station NPDES Draft Permit issued to Public Service of New Hampshire (PSNH) on September 30, 2011.
- Specifically, Region 1 is re-opening the comment period and has prepared a Revised Draft Permit (with a supporting Fact Sheet) because information, data and arguments submitted during the initial comment period, as well as information gathered by the Region during or since the initial comment period, raise substantial new questions with regard to certain permit requirements that address wastewater from the Station's flue gas desulfurization (FGD) scrubber system. The Revised Draft Permit proposes new permit to address the FGD wastewater, while other portions of the Draft Permit remain unchanged.
- The Region is providing a two-stage comment period. This comment period will only entertain comments regarding the newly proposed permit conditions and the analysis supporting these conditions, or regarding other matters that are closely intertwined with the newly proposed permit conditions. The first stage of the comment period extends for 60 days. The second stage is an added 35 days in order that any interested person may file a written response to the material filed by any other person.
- All details and documents are available on EPA's website at:
<http://www.epa.gov/region1/npdes/merrimackstation/index.html>

Q: What are the proposed changes to the Draft Permit?

- For the 2011 Draft Permit, Region 1 determined on a best professional judgment (BPJ) basis that the best available technology (BAT) for controlling FGD wastewater discharges at Merrimack Station was a particular combination of physical/chemical and biological treatment technologies.
- In light of new information, Region 1 has determined that the Facility's now existing FGD wastewater treatment system, which includes physical/chemical as well as vapor compression evaporation (VCE) and forced circulation crystallizers, is now the BAT for controlling FGD wastewater discharges at Merrimack Station. The Facility installed and began operating this treatment system after Region 1 issued the original Draft Permit in September 2011.
- This treatment system at Merrimack Station is capable of operating as a zero liquid discharge (ZLD) system. As a result, Merrimack Station has now for some time been operating its FGD scrubber system without discharging any FGD wastewater to the Merrimack River.
- Based on the new BAT determination, Region 1 proposes that PSNH continue to operate the Facility without any FGD wastewater discharges to the Merrimack River. As a result, the Revised Draft Permit proposes removing PSNH's authority to discharge FGD wastewater to the Merrimack River (i.e., eliminating Outfall 003C from the Draft Permit).

- The Region also proposes the removal of certain reporting requirements and effluent limits for certain parameters for another outfall (Outfall 003A – Slag Settling Pond), which was previously expected to receive some of the FGD wastewater but does not need to in light of the ZLD treatment system.

Q: What regulations apply to this action?

- EPA promulgated National Effluent Limitation Guideline's (NELG's) for the steam electric generating industry in 1982. However, those NELGs did not include BAT limits for FGD wastewater.
- In the absence of such BAT NELGs for FGD wastewater, these technology-based limits are developed by the permitting authority on a Best Professional Judgment (BPJ), site-specific basis.
- EPA was scheduled to publish new NELGs, which may provide BAT limitations to address FGD wastewater, in May 2014, but this deadline has been pushed back to September 2015.
- **This action represents a site-specific, case-by-case determination based on the facts at Merrimack Station and this determination neither applies to nor establishes that this technology is the BAT at any other facility or group of facilities.**

Q: What is the impact of the Steam Electric NELG Regulations that are expected in September 2015?

- At present, those proposed new NELGs are not in effect and they do not govern this permit. Indeed, the Proposed Rule identifies a number of different regulatory options that EPA is still considering.
- At the time a final permit is issued to Merrimack Station, Region 1 will take into account the status of the NELGs and develop the permit consistent with applicable law and policy.

Background

- Located in Bow, NH - withdraws and discharges to the Hooksett Pool impoundment of the Merrimack River.
- Operates two coal fired, steam electric generating units with an electrical output of 478 megawatts (MW).
- Currently, the flue gas from each of these two units passes through a wet FGD scrubber – required by NH legislation in 2006.
- The original construction plans for the wet FGD scrubber called for the treated effluent to be discharged into the river. The redesigned treatment system eliminates the need for the discharge of FGD wastewater to the river.